IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELALTE SIDE

WRIT PETITION NO.9413 OF 2005

Maruti Krishnaji Kumbhar. ...Petitioner.

Vs.

Amarsing Pandurang Rane. ...Respondent

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Mr. S. S. Patwardhan for the Petitioner.
Mr. A. M. Kulkarni for the Respondent.

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CORAM : DR. D.Y. CHANDRACHUD, J.

April 12, 2006.

P.C.:

There is a concurrent finding of fact that the landlord has established his bonafide requirement. The Plaintiff's son who is a Paediatrician seeks to establish a Hospital at Kolhapur. The finding that has been arrived at is that the son of the Plaintiff is an M.D. in Paediatrics and though he had an establishment at Kudal, he also genuinely seeks to establish a Hospital at Kolhpaur. The finding does not warrant any interference in a petition under Article 227. The issue of comparative hardship is also answered against the Petitioner. There is no merit in the petition which is accordingly dismissed.

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